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Published by Chuck Hains & Sally Beer

ACT and ADC General Membership Meeting

Thursday, December 2, 7 p.m. Via Zoom

Join us on Thursday, December 2, at 7 p.m. for our ACT and Arroyo Democratic Club General Membership Meeting via Zoom.

We are pleased to present a program about **Democratic mid-term election strategy featuring Lizzie Heyboer**, CADEM's Organizing Director. In her current CADEM role Lizzie is responsible for overall volunteer mobilization and for implementation of the organizing everywhere strategy currently a focus of the DNC. Lizzie most recently led organizing efforts for Joe Biden's campaign in California for the general election. During the 2020 primaries, she joined Elizabeth Warren's presidential campaign, training volunteers and staff on how to build grassroots organizing power across fifteen key states.



ACT and ADC's regular business meeting will follow the program. Socializing before the meeting begins at 7 p.m. The program and meeting follow at 7:30 p.m. Everyone is welcome.

Please remember that during our business meeting, members will be asked to vote on 1) a proposed change to the ACT bylaws and 2) shall ACT join the Pasadena Affordable Housing Coalition. (See details about these votes in following articles.)

(Find the Zoom link for the meeting on ACT's webpage, <http://www.actpasadens.org>.)

Nominating Committee to Meet

It's that time! The Nominating Committee is meeting to find two new Co-Chairs. We are also seeking one more (or maybe two) folks to take on the job of Co-Recording Secretary, so three can

share this fun job. There may be other open offices too. And there are several committees who would like new members. ACT committees include Computer/Webpage, Fundraising, Research, Program, Mailing, and **The Phoenix**.

[**Nominations**, from page one]

Note that the Research Committee, in particular, will be very busy in 2022, and could use the extra help!

We hope you want to be an ACT or Arroyo Democratic Club officer or lead or serve on a committee – and thus become a member of the Steering Committee. If so, let us know. Please contact Executive Director Jon Fuhrman at 626-864-5255 or jon_fuhrman@outlook.com asap,



Notice to Members of Proposed ACT Bylaw Changes



Here is **notice of proposed changes to the Election Procedures portion of the ACT bylaws**. The changes would 1) deactivate the Election Procedures Committee which has not functioned for some years, 2) Sanction voting electronically on ACT ballots, 3) Eliminate the signing of ballot return envelopes.

Members, please review and consider these changes and be prepared to vote on them at our General Membership meeting on Thursday, December 2.

(The underlined words would be added and the ~~lined-out~~ words would be deleted.)

VII. Election Procedures

D. The Steering Committee Election Procedures Committee shall devise a system to ensure the integrity and privacy of each ballot and ballot envelope. to stamp, emboss or sequentially number each ballot and ballot envelope with the goal of ensuring the integrity and privacy of the ballot. Alternatively, electronic balloting using software approved by the Steering Committee, or some combination of electronic and paper balloting may be used.

E. If using paper ballots, each completed ballot sent in by mail shall be submitted in the ACT

ballot return envelope. ~~Each voting member in the household must sign the outside of the ACT ballot envelope.~~



The Story of the First All-Women Board of Supervisors



The Executive Office of the Board of Supervisors has released a short documentary memorializing the first all-women Board of Supervisors since the Board's inception in 1852. The short documentary features the current Board as well as the two women who previously served on the Board – Yvonne Burke (1979-1980 and 1992-2008) and Gloria Molina (1991-2014). For more than 100 years, the Board of Supervisors was run primarily by five men. In November 2020, the residents of Los Angeles County elected Supervisor Holly J. Mitchell to represent the Second District, which marked a significant turning point in the make-up of the Board. Through their personal stories in the short documentary, each Board member speaks candidly about how they bring a unique lived experience and understanding of what's currently at stake for Los Angeles County constituents, and shares the challenges they have faced along the way in each of their political careers. During the past year, the Board's evolution has been featured in countless articles as a historic moment for Los Angeles County where the Board continues to oversee 11 million residents and symbolizes the possibilities for the future of the County. "Our current Board has not only shattered the glass ceiling in Los Angeles County, but it continues to inspire women all over the country to live out their dreams and consider public service as a career goal," said Celia Zavala, Executive Officer of the Board. "Producing a documentary was the best way to be able to capture the spirit of resilience, ambition and public service we all admire in the strong and intelligent women who now make up this Board."

To view and download the short documentary go to https://youtu.be/a_iOf9jF88. To view and download a digital copy of the all-women Board, go to <http://bos.lacounty.gov/Portals/1/BOS2021.jpg>.

Should ACT Join the Pasadena Affordable Housing Coalition?



The verdict is in: the official review by the State Department of Housing and Community Development (HCD) of the City's DRAFT Housing Element submitted in August states clearly that "revisions will be necessary to comply with State Housing Element Law."

The Housing Element, as approved by the State, will guide the City's policies and strategies in creating and sustaining affordable housing across the City. This update to the Housing Element will be in effect from 2021-2029.

At the October ACT Steering committee, I made a presentation and a motion asking that ACT join the Pasadena Affordable Housing Coalition (PAHC) in support of the Coalition's 27 demands to the City which address Pasadena's affordable housing issues and should be incorporated into the City's updated Housing Element.

Since that meeting the State in its response to the City has underscored some of the very shortcomings enumerated by the Coalition in public hearings only to be ignored by City Staff and the Council.

In the opening paragraphs of the letter from the State, it mentioned that it had received written comments from the Pasadena Affordable Housing Coalition as well as other community organizations and individuals.

The Coalition has consistently maintained that the City has not been giving adequate consideration to the depth and gravity of Pasadena's af-

fordable housing crisis. In its current draft submitted to the State, the City has underestimated the requirements of State law and the needs of Pasadena's rent-burdened households, families priced out of the possibility of home ownership and the more than 500 people experiencing homelessness in the last count.

While Steering Committee members agreed with the urgency for more affordable housing in Pasadena, there was unease about joining the Coalition. The PAHC's guidelines state that reaching consensus for decisions is a priority where possible; if not, then majority rules.

Members of the PAHC also agree to avoid acting against goals and policies of the coalition.

This bothered some Steering Committee members who were concerned that ACT might not be able to take positions contrary to the PAHC's.

(However, ACT members may take positions as individuals.)

It was decided in October that the motion to join the Coalition should be voted on at the December general membership meeting to be held via Zoom.

I am asking ACT members to please attend and support the motion for ACT to join the Pasadena Affordable Housing Coalition.

The fifteen members of the Pasadena Affordable Housing Coalition include representation from faith and community-based organizations.

To view my presentation made in October and to read the details of the State letter to the City, please go to the ACT website – ACTPasadena.org. You can also reread my article in the October Phoenix on-line.

~ Ed Washatka



Response to Jon Fuhrman's Commentary on Adopting Rent Control

I respond to Jon Fuhrman's October 2021 commentary on the campaign to bring rent control and just cause eviction protections in several capacities - as a low-income tenant residing in Northwest Pasadena, a member of a demographic at high risk of homelessness, a tenant in need of housing stability, a member of ACT and Chair of the Pasadena Tenant Justice Coalition (PTJC,) which is sponsoring "The Pasadena Fair and Equitable Housing Charter Amendment" to which Jon took issue. The proposed rent control/just cause eviction protection charter measure is the product of a grassroots tenant movement and reflects the input of legal and other experts; the movement has mobilized to address the needs of a majority of Pasadena residents, *i.e.*, 62% of the City's households who are tenants. (In addition, it represents the concerns of the 70% of Pasadena's African American and 68% of Pasadena's Latinx households who are tenants, many of whom are being permanently displaced out of the city.)

Tenants recognize that getting this measure on the ballot and made into law in Pasadena will be difficult. While we are on track to achieve this goal, we call upon ACT to embrace its progressive ideals and assist us in this effort, rather than mocking tenants in their efforts to achieve housing stability in Pasadena. Undoubtedly, ACT's membership is generally aware of the city's upsurge in rents, but members may not be aware that during the COVID crisis when many lower income renters lost their jobs and struggled to pay bills and feed their families, rents in Pasadena increased 20% on average - reportedly the highest increase in the County during this period. While state law would prevent our ability to address all aspects of this disturbing increase in housing



costs, our proposed charter amendment would address many of the concerns of the large majority of the City's residents.

Attacking the compensation for members of the proposed rent board is a red herring. The intent behind the compensation for board members is meant to allow lower income tenants to serve without having to weigh volunteering in this capacity against feeding/clothing/housing their families by taking a second or third job, which has become all too commonplace. The compensation of 2.5 times the city's minimum wage is offered in an attempt to provide a market basket living hourly wage, *i.e.*, one which allows the recipient to meet his/her various housing/transportation/food/medical and other costs. Lower income tenants are now working two - sometimes three - part time jobs to make ends meet. Typically, the persons who have been elected to Pasadena offices or appointed as commissioners have outside salaries well in excess of the compensation proposed in the charter amendment; they can afford to volunteer their services. Volunteering their services creates no hardship for them or their families.

The compensations set forth in Jon's article are both inflated and understated. Those that are inflated relate to the proposed board members. For these persons, it is anticipated that the activities needed to get the board functioning will require more than 20 hours/week for some of the board members. The 20-hour a week figure is meant to be a cap targeted at the initial period of operation. After the board is fully operational and staff has been hired, the board hours will be substantially cut. Jon's estimate of the mayor's compensation is low for it does not include the compensation received for service on behalf of the city on the commissions and boards.

Jon's recommendation that the coalition should focus on just cause eviction protections and jettison rent control safeguards reveals a fundamental

misunderstanding of how the landlord/tenant market works, especially in Pasadena. If a municipality adopts only just cause eviction protections, then a landlord intent on ousting a tenant will simply raise the rent to an unaffordable level. Under existing State law, a landlord may raise the rent as high as 5%, plus the local rate of inflation; inflation rose 4.6% in Los Angeles County during the last year. So, a Pasadena landlord may presently raise rents more than 9% without contravening the State law. While lower income employees may receive a cost of living increases on occasion, merit increases occur less frequently and rarely at the 8% to 10% level each year. Projections are that under the present controlling State law, rents could double in nine years without the enactment of local rent control measures. In addition, the state anti-rent gouging provisions are scheduled to sunset in 2030, resulting in no limits on how much rent may escalate, unless a municipality has established its own rent control program. The proposed amendment takes into account the situation in Pasadena, *i.e.*, that the city's rents have risen much higher than food, transportation and other costs, and limits the increase to 75% of the Los Angeles County rate of inflation. Thus, under the proposed amendment a landlord could raise the rent 3.45% during a year when state law would restrict only those rents that exceed 9.5%.

Conversely, if a jurisdiction adopts only rent controls, then tenants may be evicted without cause, for any or no reason. Although landlords who own a small number of units are less likely to evict tenants for no reason - as these kinds of landlords and their tenants are more economically interdependent, corporate landlords with large portfolios are usually less generous in dealing with their tenants. Large, corporate landlords are commanding an increasingly percentage of Pasadena's rental stock. It is therefore necessary for jurisdictions to adopt both rent control and just cause eviction protections in tandem.

Jon predicts that the rent control provision of the proposed Amendment would only cover one third to one half of city's rental units. He fails to note that all the city's renters would benefit from the proposed just cause evictions provisions which do not sunset as the state law proposes. Even if Jon's estimate were correct, this would constitute a significant benefit for renters of the covered units. His argument appears to be that if the proposed amendment cannot remedy *all* the shortcomings of the state law - which sets forth a number of stringent conditions on the adoption of local rent control ordinances, then those tenants who can be protected should remain unprotected. Although those who enjoy the stability of home ownership have the flexibility to take such a position, tenants at significant risk of permanent displacement out of the city we also love cannot. We must fight for what bits of housing security that can be made available.

The coalition also takes issue with Jon's guesstimate that only one third of the city's units will benefit from our proposed rent control provisions. The Costa-Hawkins Rental Housing Act exempts two main kinds of rental housing from local rent control measures: single-family homes and units built after 1995. Applying recent census bureau data to estimate what fraction of tenant-occupied households fall into each of these categories, our Caltech trained research experts discerned that of single-family homes occupied by tenants, about approximately 21% of the city's inventory of dwellings are exempt from benefiting from rent control.

Regarding dwellings built after 1995, a mere 10% of tenant-occupied units in Pasadena were built after 2000 and 19% were built in between 1980 and 1999. The census data shows that twice as many housing units were constructed in Pasadena between 1980 and 1989 as compared to the period between 1990 and 1999. A very conservative estimate reveals only a quarter of the

tenant-occupied units built between 1980 and 1999 were in fact built between 1995 and 1999. Bottom line, based on conservative census projections, only 15% of Pasadena's renter-occupied housing units have been constructed since 1995. Assuming the worst-case scenario that there is absolutely no overlap between single family homes and units built after 1995, 34% of rental units in the city would be exempt under Costa-Hawkins. Thus, Jon's guess that the Costa-Hawkins exemptions "probably cover well over half, and perhaps 2/3, of the rental units in the city" is simply not borne out by the census numbers. Of course, to get a completely accurate accounting of the rental units in Pasadena, we need a real estate registry, which the Fair and Equitable Housing Charter Amendment would create. Such a registry would help the community make evidence-based decisions about housing, rather than just guessing.

Pasadena renters would greatly appreciate that ACT support rent control and just cause eviction protections included the PTJC proposals; we request the opportunity to make our case before ACT's Steering Committee and have the question of support be put to the general membership.

Michelle White,
PTJC Steering Committee Chair



ACT and ADC Send Letter



At our October Steering Committee meeting, members agreed to send the following letter in support of campaign contribution limits to Pasadena Council members:

To: Honorable Mayor Gordo and Councilmembers Masuda and Madison:

On behalf of the ACT and Arroyo Democratic Club Steering Committees, we write emphatically to urge you not to waive contribution

limits to City Council and Mayoral candidates. We believe that violates the spirit and intent of the law, and, more importantly, is simply a bad idea.

We understand that technically the law allows cities to establish other limits, and that allowing unlimited contributions, by ordinance, qualifies as an "other" limit.

But we are persuaded that having no limits is simply bad policy. If you look at the "Findings" adopted by the Legislature as a preface to AB 571, we believe Section (e) captures the essence of the problem:

(e) A system allowing unlimited contributions to a candidate for elective county or city office creates the risk and the perception that elected officials in those jurisdictions are beholden to their contributors and will act in the best interest of those contributors at the expense of the people.

The whole thrust of the Legislature's Findings is to eliminate the possibility of unlimited contributions, while allowing cities (like LA) and counties (like LA and Ventura) to keep the lower limits they already impose. It is manifestly not intended to allow communities to say the sky's the limit, even if that option is technically permissible under the law. Surely, we can all agree that preventing "actual corruption and the appearance of corruption" at all levels of government is an appropriate goal.

Further, we believe placing modest limits on campaign contributions will not be overly burdensome on our local candidates, even candidates who have to run city-wide and compete in both a primary and a general. We base that assessment on several factors:

- Candidates can still self-fund their campaign, to whatever level they feel appropriate, regardless of campaign contributions limits.
- Most candidates, both incumbents and challengers, have formally or informally chosen not to [accept](#) contributions in excess of

\$5,000, so adhering to this limit would have had little impact on those candidates.

- The limit is per election, so if a candidate is forced into a run-off, the candidate can accept \$4,900 contributions from the same person for the primary and then again for the run-off.

- The limits are per person, so two spouses can each give the maximum amount, and can do so for each election. Thus, a couple could contribute nearly \$20,000 to a candidate who ran in both a primary and a run-off election.

- The contribution limit is doubled for small contributor committees -- committees that raise funds in small dollar contributions from a large membership base (like the political action funds of a teachers' union or a firefighters' union), and again the contribution limit applies separately to a primary and run-off election.

- These rules would have no impact, positively or negatively, on independent expenditures by outside groups done without coordination with a candidate.

- The dollar limits are indexed to inflation and adjusted by the Secretary of State every two years.

Upon reviewing the reported contributions in the last cycle of campaigns, only a handful of contributions would have exceeded these limits, and sometimes by trivially small amounts (some \$5,000 contributions would have been limited to \$4,900). So, we believe allowing these limits to take effect would not have substantively impacted any recent campaign.

For all these reasons, we hope the Council will allow campaign contribution limits to stay in effect for Pasadena City races.

[Signed:]

Denise Robb, Co-Chair, ACT
Tim Wendler, Pres., Arroyo Dem. Club
Marilee Marshall, Co-Chair, ACT

Campaign Contribution Limits for Pasadena

By Denise Robb



On Monday October 18, 2021 I attended (virtually) a meeting of the Pasadena City Council. I'm a long-time resident, my son goes to public school here and I've been active with the PTA and local government. When I moved here years ago, I was truly shocked to discover that Pasadena city elections had no limitations on campaign contributions. Coming from a progressive-minded city such as Los Angeles where they currently have \$800 limits on city races and bans on certain donations from lobbyists and developers, I was heartened to hear that the State of California had imposed \$4900 limits on our city. While \$4900 seems like quite a lot, it's certainly better than no limit.

I was invited by a few friends to speak on the issue because I am a professor of political science and the research I conducted at UC Irvine to obtain my Ph.D. involved elections. I have always been a fan of limiting money in politics. I am well-aware of the Supreme Court decision in *Citizens United v. FEC*, as well as previous decisions proclaiming that money equals free speech and corporations are to be viewed for those purposes as "people." I am also aware that the Supreme Court will not allow mandatory spending limits, nor can we limit how much money one chooses to spend on one's own campaign. However, the entire country is subject to those same stipulations and yet Los Angeles caps city council races at \$800, Arcadia accepted state limits and South Pasadena capped their limits at \$1,000 four years ago. Surely a small city of 140,000 such as Pasadena can live with \$4900.

Over 140 people signed letters and/or wrote individual letters in support of the \$4900 limits. Twenty-four of us spent over four hours on

Zoom waiting and then speaking for two minutes each. Every one of the letters and speakers was in favor of limiting money in politics. Even the League of Women Voters and Common Cause – preeminent non-partisan organizations, chimed in on behalf of democracy.

Mayor Gordo insisted over-and-over again that he couldn't possibly run a worthwhile campaign with such stringent limitations as \$4900 (or \$9800 per couple). Councilmember Williams stated that she was "concerned about changing course mid-stream" and the harm that it might cause current candidates who are already raising money. It appeared that she didn't realize these limits were already in effect for almost a year. Councilmember Williams asked for clarification from the City Clerk who confirmed that the State of California had already imposed \$4900 limits effective Jan. 1.

The most bizarre fact of the evening was that the only reason this was on the agenda, was because the Mayor and the City Council wanted to undo the state limits and go back to the past of unlimited contributions. Their main fear being that Independent Expenditures would wipe out their hopes for re-election. However, a quick look at the public portal of donations for candidates in Pasadena shows that \$4900 is well above the average individual donation. Independent Expenditures won't be affected either way so we might as well keep the state limits of \$4900.

A number of studies exist on the topic including a study by Stanford University that found, unlike in the general election, early fundraising strongly predicted who would win the primary. Most money is used for advertising which is useful for making voters aware that a candidate exists at all. Also, money helps determine who is even capable of running for office. I ran for city council in Los Angeles in that fateful September 11, 2001

election. I remember quite clearly that the first question newspapers and organizations asked me when I sought their endorsement was: "How much money have you raised?" The same goes for federal elections. In the years from 2000-2016 the candidate who raised the most money had a 90% chance of winning in every instance except one in which there was only an 86% chance.

It's not even partisan. Republicans and Democrats alike favor limits on money in politics. It's one of the most popular issues imaginable. A recent Pew study states: "77% of Americans say there should be limits on the amount of money individuals and groups can spend on campaigns." The optics alone should give the Pasadena City Council and Mayor pause before declaring that they need unlimited funds to run for office in these small districts.

I voted for my own Councilman Andy Wilson because he literally came to my door multiple times in 2017 and when I finally was home, spent over an hour with my family answering question after question at my dining room table. His opponent did the same. This experience made it clear to me that even though he did raise over \$100,000 for his race, it was the door-to-door campaigning that won voters over. It's one of the things I most love about living in a city the size of Pasadena. While Councilmember Wilson is not running for reelection, it should be noted that he has always refused to accept donations over \$5,000. He and Councilmember Rivas openly support the state limits on donations as they made clear on October 18.

I hope the Pasadena Mayor and City Council will do what's right for their constituents and the community.

Editor's Note: The Pasadena Legislative Policy Committee plans further discussion on Tuesday,



November 23, 2 p.m. on Zoom.

Denise Robb is an ACT Co-Chair, a Professor of Political Science at Pierce College, and a long-time resident of Pasadena. A version of the above first appeared as an op/ed in Pasadena Now on 10/25/21.



Virginia, New Jersey and the 2022 Midterms

I've been getting a lot of calls and emails about the Virginia and New Jersey elections and the implications for next year's Midterms. Rather than focusing on the dark clouds or searching for a silver lining, I've tried to present a more objective view of what the future might hold for the Democrats next year and into the future.

I believe that one takeaway, particularly from the Virginia election, is that running against Trump doesn't work when he isn't on the ballot. The main reason is that the Democratic base isn't as worried now that Trump has left the White House and therefore don't turn out in sufficient numbers. More importantly, independent voters and those in the suburbs aren't interested in looking in the rearview mirror at the sins of the Trump years. They are more interested in what is going to happen with Covid and the economy. In short, kitchen table issues.

The Biden administration and most Democratic members of Congress get this, although they have displayed a tendency toward Trump bashing even now that he is out of the picture. While some Democrats still are focused on the dangers that Trumpism represents for the future, this is not what is on most voter's minds, whether we like it or not.



While the passage of the infrastructure and Build Back Better plan may improve the Midterm picture for Democrats, and hopefully boost Biden's approval ratings, we should recognize that there are a lot of forces that are beyond our control. First, there are the issues of Covid and the economy, which are the main concern of voters. If Covid persists and the economy takes a downturn, then it is unlikely that Democrats can retain the House and Senate in 2022, despite our best efforts. Another factor is simply history. It is rare for a president's party to gain seats in a midterm election, especially in these days of partisanship and cynicism about government and politicians.

But clearly the most important dynamic that is out of our control is the direction of the Republican party, which seems set on a Trumpian, anti-democratic course, as least for the present. As much as we Democrats decry the sins of the Republican party, they are counting on their base of supporters – along with independents and traditional Republican – to stand with them.

To say their support is solid is an understatement. For most voters – especially Republicans and independents – all the talk about the crisis of democracy and a turn towards authoritarianism has little resonance. It is all too abstract when they are faced with a pandemic, rising prices, child care and many other everyday kitchen table issues. The future of democracy is simply a vague and amorphous concept that has little relationship to their lives.

For Democrats, the idea of somehow awakening the majority of voters to the dangers to democracy presented by Trump or Trumpism is an exercise in futility. However, that doesn't mean that we have to despair about the future of our

[See [UDH](#), page fifteen]



**From
25th District
State Senator
Anthony
Portantino**



Dear ACT Friends,

It was fun being the program for this month's ACT Steering Committee meeting. Though I wish it was in person, it was great to see so many friendly ACT stalwarts continuing their dedication to and promotion of a progressive agenda. We had a great conversation about affordable housing, police reform and several of the mental health bills Governor Newsom signed this year. Student mental health and well-being is a big part of my legislative agenda and focus.

I'm writing this on the plane to Armenia. It's my fourth trip there and I'm excited to be going back after the two-year Covid break. Before the pandemic, I was honored to have worked with Governor Newsom to establish a California Trade Desk in the Armenian's capitol city, Yerevan. I'm carrying the California state seal in my luggage and will be placing it at the tech incubator, Impact Hub, which is hosting our trade desk. I've arranged to introduce representatives of the Governor's economic development team to trade and commerce officials in the Armenian Government. Zoom does have its utility as this will be the first meeting between these key trade officials and I'm excited to be facilitating it.

My staff has also arranged a Zoom meeting between social workers in Yerevan and social workers in the US. In the aftermath of the war in Artsakh, there are significant consequences and severe impacts. Before I left, I was able to meet with the humanitarian delegation from Artsakh which coincidentally was in Glendale last week. During the meeting, the need for more

social workers came up. Ever since my time in the Assembly, I've had a social worker on staff, and my office provided field placement opportunities for several social work students. I'm looking forward to seeing how we can help the recovery effort and address some of the mental health issues that war leaves in its wake.

I also made it to the POP event on Saturday. It had a great turnout of activists who are pushing many reforms in Pasadena. It was important to thank POP for working tirelessly for its efforts to shed needed light on Anthony McClain's tragic shooting death. I credit POP and other activists for educating me about the circumstances of the shooting. Their effort inspired me to author a bill to address a loophole in the law that prevented an independent Attorney General investigation of this and other similar tragic deaths. The Governor signed the bill, and it is now law. It's not important nor practical that everyone agrees with everyone else. But it does make sense and improve public policy outcomes when everyone has the opportunity to communicate and dialogue about important issues.

Two other events of note took place on Saturday as well. The mental health walk, 'Out of the Darkness,' was back in Pasadena's Central Park and South Pasadena held a demonstration fair with all electric mowers and blowers. South Pasadena has been leading the way on banning gas-powered lawn and gardening tools. In addition, Councilmember Michael Cacciotti and I paired up with Active San Gabriel Valley on a community bike ride. Over 65 people joined us. Twelve months ago, I started to regularly ride my bike. It's been both physically rewarding and educational. I ride almost every day now, both for fun and as a way to get to my Glendale office. I'll be doing more community rides, too. Stay tuned.

On the family front, Sofia and Indiana Jones are back home after 15 months away. And Bella is

enjoying her sophomore year of college. Ellen and I had about two months of being empty nesters and I didn't like it. Glad Sofia came back and I'm looking forward to having everyone home for the holidays.

Happy Thanksgiving and be safe!

Warmest and Best,

~ Anthony

Senator Anthony Portantino represents California's 25th State Senate District, which stretches along the 210 Freeway from Sunland/Tujunga to Upland. He proudly represents the Rose Bowl, Jet Propulsion Laboratory, Griffith Park, Warner Brothers, Disney, Caltech and the Claremont Colleges.



**From
41st District
Assemblymember
Chris Holden**



Dear ACT Friends,

In October, I had the opportunity to travel to Portugal with my colleagues in the legislature for a work-study trip to examine areas of mutual policy interests between Portugal and California relating to energy, healthcare, and climate change. As chair of the Assembly Utilities and Energy Committee, trips like these allow us to integrate innovative ideas from outside the country while

sharing the best ideas California has to offer to tackle complex climate change or energy related issues that affect the whole planet. Now, with both the legislative session over and my return from that trip, I am looking forward to spending more time in the district before needing to head back to Sacramento.

In my District Office, we are now accepting applications for my seventh annual Young Legislators Program that offers high school seniors in the 41st Assembly District a front row seat to the public policy and political arena. During the four-month program, students will meet once a month virtually to become better advocates on issues they care about, gain valuable leadership skills, and learn about the legislative process. If you have any friends or family in district whose child is a high school senior that may be interested, please direct them to my website.

We are also holding our annual Holiday Shoe Drive where we will again partner with Shoes That Fit to provide new athletic shoes to school aged children in need. You can make a difference by donating a new pair of athletic shoes in any size on Saturday, December 11, 9:00 am - 11:00 am.

Looking forward to keeping you up to date in the next newsletter.

Sincerely,

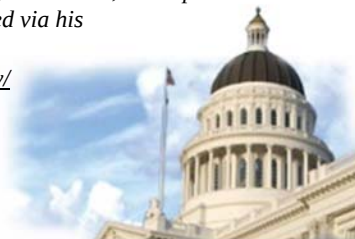
~ Chris R. Holden

Assemblyman Holden represents some 420,000 people in the foothills communities of Altadena, Pasadena, South Pasadena, Monrovia, Sierra Madre, San Dimas, La Verne, Claremont, and Upland.

He can be reached via his website at:

www.asm.ca.-gov/

Holden and fill out the contact form.



Political Notes

by Jon Fuhrman



Tuesday, November 9.

We had two big developments this month, one rather good and one not so good, and you can probably guess which is which.

In Congress, President Biden's near-infinite patience finally has borne fruit as the House approved the \$1.2 trillion "hard" infrastructure bill. It had already been approved by a lop-sided 69-30 margin in the Senate, with even Mitch McConnell voting in favor.

The reason it got so many votes in the Senate is that there is overwhelming agreement that those public works projects need to be done, and there is money aplenty for every state. President Trump had for years harped about infrastructure, but his Administration could never quite get it together. President Biden did, and eventually got overwhelming support in the Senate. In the House, by and large GOP members voted against

it, regardless of the intrinsic merit of the projects. They simply didn't want to give Biden a political victory.

But thirteen GOP members refused to put politics above country. Many are members of the "Problem-Solvers Caucus", a bi-partisan group of relatively centrist members who argue that we just need to get stuff done. They had been part of behind-the-scenes negotiations last summer with Senate members who were writing the bill. They held to their pledges of support, despite Minority Leader Kevin McCarthy's pleas and implicit threats. Other GOP supporters are simply traditional brick-and-mortar Republicans, perhaps best typified by Don Young, the crusty 88-year old who has represented Alaska for 50 years (yes, that's not a typo). For years, he chaired, or served as ranking minority member, of the Transportation and Infrastructure Committee (or its predecessors). He recalled a time when votes for infrastructure bills (or highway bills, as we used to know them) were nearly unanimous. Now, however, instead of unanimity, there are threats to strip all 13 Republicans of their committee assignments for the cardinal sin of delivering a political victory to Joe Biden (especially after the Democratic defeats in Virginia and elsewhere). One wonders if the House GOP caucus would also want to take revenge on the 19 GOP Senators (including Mitch McConnell) who supported the infrastructure bill (which McConnell called a "godsend" for Kentucky).

There was some disarray on the Democratic side as well, with six members from the hard-core progressive side (the "squad", plus Cori Bush and Jamaal Bowman) refusing to vote for the bill. It's not that they opposed the bill; rather, they insisted on hewing to the "blackmail strategy" – we won't vote for your bill unless you simultaneously pass the "soft infrastructure" reconciliation bill. Fortunately, most of the House's Progressive Caucus, led by Congresswoman Pramilla

Jayapal, finally accepted a pledge from centrist Democrats to support the reconciliation bill, assuming the Congressional Budget Office cost estimates approximated the advertised mark of \$1.85 trillion. At least one of the six Democratic renegades intentionally waited until the bill had passed the majority mark before she cast her vote against it, suggesting that, had the GOP totally deserted the bill, she (and other progressives) might have voted in favor.

This raises the whole issue of the political strategy the progressive bloc adopted. Their intransigence did not lead to any changes in the hard infrastructure bill, and hasn't in any noticeable way led to changes on the soft infrastructure bill. All it did was delay approval of the hard infrastructure bill and generate a full month's worth of news stories about Democratic infighting and the President's failure to accomplish anything. Some observers, myself included, think that had progressives allowed the hard infrastructure bill to pass a month ago, or even perhaps two weeks ago, we might have avoided the losses in Virginia and elsewhere, because the fundamental narrative would have been, not about a President incapable of achieving anything and crippled by intra-party disputes and having to cave to the socialists of the hard left, but about a President who won an historic victory and was on the way to a second victory after compromising significantly with centrist Democrats.

In olden times, those six Democrats might have suffered a dire fate. President Johnson would have relegated them to the outer circles of hell. Speaker Sam Rayburn would have relocated their Congressional offices to the Baltimore city docks. Nixon would have put them front and center on his enemies list.

But President Biden has a totally different style.

Instead of strong-arm tactics, he calls the mother of Congresswoman Pramilla Jayapal, in India, to tell her how important a leader her daughter has become in Congress. And he does this after the vote, when Jayapal has already given up whatever leverage she had. Reportedly, the Congresswoman's mother was near tears in excitement and pride on receiving the President's call. That personal touch, and his seemingly infinite

patience, seem to be the President's super-power, but there is no guarantee that it will always work or be enough to carry the day.

Progressives were deeply dismayed by what they saw as the President's failure to corral or persuade or strong-arm centrist Democrats – particularly Senators Manchin and Sinema – as well as some centrists in the House. They saw their dreams of a fundamental, FDR-like

renaissance drifting away, and they blamed the President for not fighting harder for his own Build Back Better program. Their expectations, though, were simply not reasonable. President Biden tried his super-powers on Sen. Manchin and Sinema, and he came up against solid rock. The truth is Joe Manchin doesn't need anything from the President, and he represents an incredibly red state.

The President, in an interview with Anderson Cooper, noted the quandary he faces: "When you're President of the United States, and you have 50 Democrats [in the Senate], everyone is a president. Every single one. So, you've got to work things out." And then he added, "I'm prepared to do the things that can get done now, that can begin to change the lives of ordinary Americans to give them a fighting chance and come back and try to get others later." That patience, that willingness to accept half a loaf now and try for the rest of the loaf in the next Congressional



session or in his next term, encapsulates his negotiating strategy.

Interestingly, Manchin himself pointed to the ultimate solution to the problem: if you want more liberal legislation, elect more liberal Senators. If Democrats can win 3 or 4 more Senate seats in 2022 (from among Pennsylvania, Wisconsin, Ohio, North Carolina, Florida, Alaska and Iowa), then Sens. Manchin and Sinema become somewhat irrelevant backbenchers. The challenge, of course, is winning those seats in what is shaping up to be a tough mid-term.

Which brings us to the other major development of the month – we got stomped on Election Day. It wasn't just in Virginia – though it was bad enough to lose all three state-wide elective offices and also lose our majority in the lower house of the legislature (which went from 55 – 45 for us to 48 – 52 for them). Democrats lost in all sorts of places around the country – in suburban Nassau County, in New Jersey suburbs. So, what was going on?

It appears to me a combination of two factors: lower turnout on our side, and a small, but significant, erosion of support among folks who voted Democratic in 2020.

On the first part, lower turnout on our side is a typical and traditional feature of off-year elections. It may, at first, seem like the turnout was quite good in Virginia – McAuliffe got 1.6 million votes, well ahead of the 1.4 million votes Ralph Northam got in 2017 when he won, and well ahead of what McAuliffe got in 2013 (1.07 million) when he won the first time. But in 2020, Biden got 2.4 million votes in Virginia. So McAuliffe got about 67% of the Biden vote. Youngkin's vote similarly fell from the Trump 2020 total of 1.96 million, but to a much smaller degree – Youngkin got 85% of the vote that Trump got. That 18% differential in drop-off compared to 2020 is a steep hill to climb for any Democratic candidate. Worse, that's relatively

typical of Dem vs GOP performance in mid-terms – look at the losses we experienced in 1994, in 2010, in 2014. The pattern is pretty steady. Dems turn out well in Presidential years, and hence we do well, and turn out less well in mid-terms, when we do relatively poorly. That, in a nutshell, is why most commentators are downbeat on Democratic chances in 2022.

The pattern is not unbreakable. Democrats had huge gains in 2006, and again in 2018. But in both years there had to be something that drove voters to break the mold, something that overcame and outweighed traditional voting habits. In 2006, it was universal weariness with the Iraq and Afghan wars. In 2018, it was weariness with the Trump administration and Trump's personal behavior. Can Democrats create a narrative in 2022 strong enough to overcome the traditional inertial forces? Defeating COVID? Restoring the economy? Progress on climate change? International security? That is one of our challenges.

The other part of this equation is a modest, but significant, erosion of support among folks who had supported Biden in 2020. Exit polling in Virginia showed that 52% of the voters supported President Biden and 42% supported former President Trump. That tracks pretty closely to the actual 2020 results. Of those who supported President Trump, a negligible 2% supported McAuliffe in the gubernatorial election. But of those who supported President Biden, 7% shifted allegiance and voted for Glenn Youngkin. So that's a net shift of 5%, which doesn't sound like very much, but among the 3 million votes cast, that would amount to 150,000, well above the margin by which Youngkin won. We don't know why those 7% of the Biden vote went the other way, and there are probably a myriad of reasons. But it's not unlikely that the Democrats' failure to reach a vote on the hard infrastructure vote, and the discord surrounding the soft infrastruc-

ture vote, and the four weeks of relatively bad press harping on that failure, contributed significantly to that erosion. Assuming that's true, there is time to win those voters back. Last week's successful vote on the hard infrastructure bill was a start; successful passage of a soft infrastructure bill, of whatever size, would be another strong step. Continued good news on the jobs front would help, as would getting past some of these supply chain tie-ups.

But the most critical issue is likely COVID, and particularly its impact on schools and the associated mask and vaccine mandates. Youngkin successfully tapped into a deep unease among parents about schools and how their kids were being treated. I think this whole situation is likely to ease substantially in 4 to 6 months, as vaccination rates creep higher and become something taken for granted. If that's true, then Dems may be looking for a much rosier outcome in November 2022. But if not, if the country sinks into another prolonged COVID surge with attendant requirements for masking, distancing and even shut-downs, then we may not be able to beat the historic patterns which would suggest we lose both the House and the Senate. I'm betting we'll keep control of both the House and the Senate, but right now not many pundits are likely to agree.

~ Jon Fuhrman



Welcome New & Returning ACT Members:

Marcielle Brandler, Sierra Madre

Yarma Velazquez &

Daniel Rossman, Pasadena

Special Thanks to Sustaining Member

David Fertig

Thanks for Additional Contributions to ACT's Operating & Political Accounts

Yarma Velazques & Daniel Rossman

[UDH, from page nine]

democracy or that we are destined to descend into authoritarianism. There is very little in our history – or in those of other democracies – to believe that path is inevitable.

However, we should not be afraid to confront the realities of today's politics – both on the left and the right. The essential problem to-day is that the system which was set up in 1789 is no longer working effectively to address the needs of its citizens – no matter which side of the partisan divide they are on. It was designed to be a stalemate government, which was fine in an agricultural society, but no longer works in a post-industrial age.

Most Americans agree that government isn't working, so the question is how to reform the system while maintaining 21st century democratic values. To see our political system in black and white terms - democracy and freedom v. fascist totalitarianism is much too simplistic. We face a much more subtle and vexing set of problems in the 21st century.

Looking ahead to the Midterms, 2022 certainly has the makings of a challenge - and possibly a disaster - for the Dems. We certainly run the risk of losing both the House and Senate unless there is substantial progress on economy and Covid. However, Biden still has the presidential veto - it is enshrined in the Constitution - so the result is stalemate rather than constitutional crisis.

As for 2024, it is way too far off to predict, but as a general rule, presidential elections lately have come down to personality more than policy. If the Democrats nominate a person whose personality and policies are appealing to a majority of American voters, then we probably stand an even chance. The same goes for the Republicans. Considering Trump's personality and his past losses, I am not convinced that he would be that kind of candidate.

There is a tendency to lump the entire party into the Trump camp, which I believe is a mistake. The results in Virginia this week show that Republican voters - especially women in the suburbs - can distinguish between a Trumpy candidate and a traditional Republican. While Youngkin never disavowed Trump, he certainly distanced himself. Traditional Republicans understood that and voted for him. So to suggest that the entire Repub. party - especially Republican voters - are in lockstep with Trump is a mistake.

The one basic rule of politics is that change is constant. What seems like a problem today will likely not be tomorrow's problem. And, as with everything in life, we have very little control over the future. For Democrats, that means fighting for candidates and policies we believe in rather than worrying about dynamics that are far beyond our control.

~ Hoyt Hillsman
Chair, UDH Steering Committee



Native American Voting Rights Act

On October 5, 2021, the Senate introduced a modified John R. Lewis Voting Rights Advancement Act (S.4), which now incorporates the Native American Voting Rights Act (NAVRA) as part of the bill.

The NAVRA portion of the proposed John R. Lewis Voting Rights Act (S.4) provides a customized approach for the distinctive needs of Native American voters on tribal lands, and it is based on tribes' unique legal status under federal law and intended to address the existing barriers to Native voting. The included NAVRA components also complement the protective measures set forth in the For the People Act (H.R.1)

Not surprisingly, the John R. Lewis Voting Rights Advancement Act was blocked by Senate Republicans on November 3.

My Two Cents

By Ron Garber



If you're playing draw poker and four of the five cards you're dealt leave you with a possible straight, the odds of a good draw are easy to figure. If the cards are consecutive like 3, 4, 5, 6 that leaves two numbers on either end, a 2 or a 7, to complete the straight and that's called an outside straight. Eight of the remaining 47 cards will help you, which gives you a little better than a 1 in 6 chance. However, if they are not consecutive, say like 3, 4, 6 and 7, you can only succeed with a 5. That's called an inside straight and the odds are only about 1 in 12.

On January 1 we knew that Democrats would control the House with a very, very slim margin. We also were assured 46 Democrats in the Senate with two independents who would support the Democratic caucus and two undecided Senate seats in a Southern state to be determined in a special election later that week. Knowing that Kamala Harris would be sworn in as Vice President we could control the Senate with a 50/50 margin. All we had to do was to elect both our Senate candidates, one being Jewish and one being African American in Georgia a deep South state. This was the ultimate inside straight and against all odds it actually happened.

When the dust had settled from the Georgia special election(s) we Progressives envisioned 1) the end of the filibuster, 2) Four new Senate seats (ostensibly Democratic) from two new States, D.C. and Puerto Rico and a new packed Supreme Court (Progressive). While I personally didn't support packing the court it would have been fitting justice for McConnell who had denied President Obama his rightful nomination for an open seat. None of that was meant to be. When every single vote is needed to carry the day, it makes

each Senator a king or in this case a king or ruling queen. I haven't heard anyone espouse this, but I contend that if it were either Manchin or Sinema the pressure would be too much for either to fight off, but as it stands, they each give cover to the other.

I write this one day after what I call the infrastructure-infrastructure bill was passed and we're being told that a social spending and climate infrastructure bill will pass, possibly in December. It remains to be seen and I'm cautiously optimistic.

I'm not as optimistic about holding on to either house of Congress next year, but I am hopeful that with another opportunity to pass a budgetary bill next year without the possibility of a filibuster, before the election, we may get some of what we had to leave out of this year's bill due to Democratic moderate concerns and that may help us next November.

Hypothetically, if in 2024 Trump or a Trump acolyte, wins and the Senate again is 50/50 and the House narrowly in Republican hands, does anyone doubt that McConnell would think twice about ending the filibuster, carving California into 2 states which would increase the number of Republican Senators and packing the court should it be necessary to rebalance the court to the right. Not I.



It's at this point that you stop reading if you're not interested in my self-indulgent reporting of my weight loss / walking program. I'm pleased to report that after close to 30 years, as of last week I no longer have diabetes. My A1C level is now at 5.5 which by any standard chart falls not only below the level of diabetes, but also pre-diabetes, to that of normal. In October of 2020 I started a virtual walk and arrived in New York on June 1, 2021. I'm now walking 20 miles per day and expect to arrive in a virtual Seattle before Thanksgiving where I will turn towards the South East

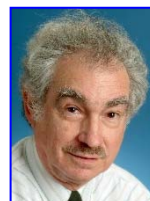
and plan to arrive in Miami in the late spring before returning home to Duarte, arriving before the end of next year. While I was planning to lose 105 pounds, I'm only down 85 and my doctor and my partner have told me that I do not have to lose any more - which is good because even with 20 miles a day I'm not losing any more - so my goal now is to not gain even a single pound. Anyone wanting my help in either a walking program or weight loss I'm there for you.

~ Ron out



Book Review

By Robert V. Frampton



I decided to review "Peril" at this time because of its relevance in providing context to the ongoing Congressional investigations of the events of January 6.

"Peril"

by Bob Woodward and Robert Costa

Two recent books about the 2020 election and its turbulent aftermath, "*Peril*" by Bob Woodward and Robert Costa, and "*Midnight in Washington*" by Adam Schiff, cover the same time period and series of chaotic events, but from different perspectives. Congressman Schiff provides a deeply personal account of these events from a participant's viewpoint, focusing on his role in Congress and on the House Permanent Select Committee on Intelligence, on which he served first as ranking member (to Chair Devin Nunes) and then as Chair. The Woodward-Costa account, on the other hand, provides a more sweeping panorama of the same time period, from the viewpoint of a historian, accounting the events in a more detailed manner. Woodward has a historian's eye for detail, and a press eye for a story. "*Peril*"

interrelates the activities of the Biden-Harris campaign, the Trump campaign, and, with a “You are There” perspective, the chaotic events leading up to, during, and the aftermath of the January 6 invasion of the Capitol. These two books are best read together to get the fullest account of these heady days of the election and its aftermath.

“*Peril*” is the third in a trilogy, after “*Fear*” and “*Rage*.” “*Rage*” was published in September 2020, a year before “*Peril*,” and covers the first impeachment trial, Trump’s meetings with the North Korean president, but most importantly, the advent of Covid-19 and Trump’s ordeal in dealing with the pandemic. “*Peril*” takes us through the campaign, the election, vote-counting, the insurrection, inauguration, and up to the passage of the American Rescue Plan on March 6, 2021, and on to the withdrawal from Afghanistan in June.

In its epilogue the authors give a summary view of Trump: “He could be petty. Cruel. Bored by American history and dismissive of governing traditions that had long guided elected leaders. Tantalized by the prospect of power. Eager to use fear to get his way. ‘Real power is – I don’t even want to use the word – fear,’ Trump told us. ‘I bring rage out. I *do* bring rage out. I always have. I don’t know if that’s an asset or a liability, but whatever it is, I do.’” Could Trump work his will again? Were there any limits to what he and his supporters might do to put him back in power? *Peril* remains!

~ Robert V. Frampton

Next Month: “*The Education of an Idealist: A Memoir*” by Samantha Power. A Pulitzer Prize winner, Power transports us from her childhood in Dublin to the streets of war-torn Bosnia - where she was a war correspondent, to the White House Situation Room, to the United Nations - where she was US Ambassador.

Calendar

November	Native American Heritage Month
Nov. 15 Monday	UDH Steering Meeting via Zoom. 5:30 p.m.
Dec. 2 Thursday 7 p.m.	ACT / ADC General Membership Meeting via Zoom. See details inside. Socializing: 7 p.m.; meeting: 7:30
Nov 23 Tuesday 2 p.m.	Pasadena Legislative Policy Committee Meeting via Zoom.



December *Phoenix* Deadline

The likely deadline for the December *Phoenix* will be Monday evening, December 6. Please send items for publication to Chuck Hains at hains27@sbcglobal.net and to Sally Beer at sally.beer125@gmail.com. (Chuck will continue to contact regular contributors with a deadline reminder.)



ACT’s and ADC’s Website

Website manager, Bruce Wright, asks for items for the website calendar and links to important viewpoints and commentary. Bruce and Marcus Green keep the site updated. You can reach Bruce at: brucewright@sbcglobal.net.



You will always find the current *Phoenix*, plus a newsletter archive on the website at

www.ACTpasadena.org



Thanks for Contributions to the Judy Boggs Intern Fund:

Ann Munger

Membership 2021 Membership Renewal

A **Red Check** (✓) on your address label on this *Phoenix* is to remind you that we are still looking for your 2021 ACT and/or ADC membership dues! **NOTE: If You Pay Up Now**, you will be paying your 2022 ACT and/or ADC membership dues early, and we will be truly grateful!



Use the form below, or renew or join online at www.actpasadena.org.

If you have any questions about your membership, check with Executive Director Jon Fuhrman at jon_fuhrman@outlook.com or 626 864-5255.

I'd like to join both groups for one low price! (Checks payable to ACT/ADC)

- | | |
|--|---|
| ☐ \$40 Single | ☐ \$70 Single Sustaining |
| ☐ \$25 Each additional member per household | ☐ \$90 Double Sustaining |
| ☐ \$15 Student or limited income | ☐ \$150 Patron |
| | ☐ \$275 Benefactor |

I'd like to join ACT (Checks payable to ACT)

- | | |
|--|---|
| ☐ \$35 Single | ☐ \$60 Single Sustaining |
| ☐ \$20 Each additional member per household | ☐ \$85 Double Sustaining |
| ☐ \$15 Student or limited income | ☐ \$125 Patron |
| ☐ \$20 Gift Membership (NEW!) | ☐ \$275 Benefactor |

I'd like to join the Arroyo Democratic Club (Checks payable to ADC)

- | | |
|--|---|
| ☐ \$35 Single | ☐ \$60 Single Sustaining |
| ☐ \$20 Each additional member per household | ☐ \$85 Double Sustaining |
| ☐ \$15 Student or limited income | ☐ \$125 Patron |
| | ☐ \$275 Benefactor |

Extra Contribution

- ☐ \$ _____ Political Account (for endorsed candidates and issues)
- ☐ \$ _____ Operating Account (for organizational costs) \$ _____ **Total enclosed**

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Information you provide will be available to other members and endorsed candidates upon request.